

ORIGINAL

14  
7/21/00  
EP

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DESMOND B. GAIL,  
Plaintiff

v.

YORK COUNTY PRISON,  
Defendant

CIVIL NO. 1:CV-00-881

Judge Caldwell

PLEASE RETURN

FILED  
HARRISBURG, PA

JUL 20 2000

MARY E. D'ANDREA, CLERK  
Per 9/12  
Deputy Clerk

EXHIBITS TO ANSWER OF THE DEFENDANT  
TO THE PLAINTIFF'S MOTION TO COMPEL  
COMPLIANCE WITH AN ADMINISTRATIVE ORDER

Respectfully submitted,

By: Donald L. Reihart

Donald L. Reihart, Esq.  
Sup. Ct. I.D. #07421  
2600 Eastern Boulevard  
Suite 204  
York, PA 17402-2904  
Telephone (717) 755-2799

Assistant County Solicitor

Dated: 7-18-00

INDEX

EXHIBIT A: note dated April 2000

EXHIBIT B: prisoner response

EXHIBIT C: note dated May 23, 2000

EXHIBIT D: note dated May 25, 2000

EXHIBIT E: note dated June 27, 2000

EXHIBIT F: activity account

## Account Activity Ledger

Date : 04/27/2000

Time : 10:13

From : 09/03/1999 To : 04/27/2000

Comment	Trx Date	Time	Batch /Inv #	Trx Type	Invoice	Deposit	Withdrawal	Balance Forward
ID 55438	Name GAYLE, DESMOND		Block MED-4					
Imported Entry	10/27/1999	15:50	B#3652	D		0.00		0.00
	11/22/1999	11:46	B#18089	D		20.00		20.00
copies	11/24/1999	10:17	B#18172	W			-0.50	19.50
Sales Transaction	12/02/1999	12:43	I#4086	I	19.29			0.21
	01/17/2000	10:27	B#19661	D		20.00		20.21
Sales Transaction	01/19/2000	11:26	I#9356	I	20.08			0.13
	02/14/2000	11:40	B#20415	D		20.00		20.13
Sales Transaction	02/15/2000	13:35	I#12222	I	19.81			0.32
	03/06/2000	12:16	B#21048	D		50.00		50.32
Sales Transaction	03/07/2000	13:51	I#14471	I	49.05			1.27
	03/17/2000	08:25	B#21392	D		50.00		51.27
Sales Transaction	03/21/2000	13:58	I#16190	I	51.18			0.09

Deposits 6 For \$ 160.00

Withdrawals 1 For \$ -0.50

Invoices 5 For \$ 159.41

5/2/00

Desmond:

You owe \$150 to the Court. Whenever you receive a deposit, don't spend all of your money! I must deduct 20% of every deposit to send to the Court. Around the third week of every month I will check your account and send the Court their money. Divide any deposit you get by 5 and then don't spend the  $\frac{1}{5}$ . For example  $\$50 \div 5 =$  \$10 <sup>deposit</sup>

If you spend all of your money I will freeze your account until the money is paid.

Roy Thomas

Date : 04/27/2000

Time : 10:13

## Account Activity Ledger

From : 09/03/1999 To : 04/27/2000

Comment	Trx Date	Time	Batch /Inv #	Trx Type	Invoice	Deposit	Withdrawal	Balance Forward
ID 55438 Name GAYLE, DESMOND Block MED-4								
Imported Entry	10/27/1999	15:50	B#3652	D		0.00		0.00
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Sales Transaction	01/19/2000	11:26	I#9356	I	20.08			0.13
	02/14/2000	11:40	B#20415	D		20.00		20.13
Sales Transaction	02/15/2000	13:35	I#12222	I	19.81			0.32
	03/06/2000	12:16	B#21048	D		50.00		50.32
Sales Transaction	03/07/2000	13:51	I#14471	I	49.05			1.27
	03/17/2000	08:25	B#21392	D		50.00		51.27
Sales Transaction	03/21/2000	13:58	I#16190	I	51.18			0.09

Deposits 6 For \$ 160.00

Withdrawals 1 For \$ -0.50

Invoices 5 For \$ 159.41

D. K. Gayle

This statement is INCORRECT Sir!

Desmond :

You owe \$150 to the Court. Whenever you receive a deposit, don't spend all of your money! I must deduct 20% of every deposit to send to the Court. Around the third week of every month I will check your account and send the Court their money. Divide any deposit you get by 5 and then don't spend the 1/5. For example \$50 ÷ 5 = \$10 deposit

If you spend all of your money I will freeze your account until the money is paid.

Roy Thomas

*Superinto. dent/WARDen;*  
*Read Carefully And Understand the Underline*  
*Sentence in BRACKETS, Please Sir I AM Asking you*  
owing the Court, the Superintendent/Warden in any institution where the in

is incarcerated is required by law to set aside and remit on a monthly basis  
20 percent of the preceding month's deposits credited to the prisoner's  
account until the filing fee has been paid in full. Each time a deposit is

made to the inmate's account, the Superintendent/Warden shall set aside the  
deposit immediately before any disbursement is made by the inmate, until a  
amount equal to 20 percent of the previous month's deposits is obtained.

When the 20 percent amount is obtained, it shall be transmitted in one  
monthly payment to the Clerk. Each payment shall be clearly identified by  
the name of the prisoner and the number assigned to this action.

Payments must be made payable to "Clerk, U.S. District Court" and  
transmitted to:

U.S. District Court  
P.O. Box 1148  
Scranton, PA 18501-1148

In the event the plaintiff is transferred to a different correctional  
facility before the full filing fee is paid, you must forward this  
Administrative Order to the Superintendent/Warden of the receiving  
institution. This Order will be binding on the Superintendent/Warden of  
any correctional facility where the prisoner is incarcerated until the  
filing fee is paid in full. *sir Please understand this!*

*I AM ENTITLED to spend ALL of*  
*MY Money, According to what*  
*the Clerk of the Court said!*

MARY E. D'ANDREA  
Clerk of Court

By *J. J. Cordile*  
Deputy Clerk

DATE: March 30, 2000

*L J Boyle* / *APRIL 1st* / *8:00 AM*

Date : 05/23/2000

Time : 14:12

## Account Activity Ledger

From : 09/03/1999 To : 05/23/2000

Comment	Trx Date	Time	Batch /Inv #	Trx Type	Invoice	Deposit	Withdrawal	Balance Forward
ID 55438 Name GAYLE, DESMOND Block ND-14B								
Imported Entry	10/27/1999	15:50	B#3652	D		0.00		0.00
	11/22/1999	11:46	B#18089	D		20.00		20.00
copies	11/24/1999	10:17	B#18172	W			-0.50	19.50
Sales Transaction	12/02/1999	12:43	I#4086	I	19.29			0.21
	01/17/2000	10:27	B#19661	D		20.00		20.21
Sales Transaction	01/19/2000	11:26	I#9356	I	20.08			0.13
	02/14/2000	11:40	B#20415	D		20.00		20.13
Sales Transaction	02/15/2000	13:35	I#12222	I	19.81			0.32
	03/06/2000	12:16	B#21048	D		50.00		50.32
Sales Transaction	03/07/2000	13:51	I#14471	I	49.05			1.27
	03/17/2000	08:25	B#21392	D		50.00		51.27
Sales Transaction	03/21/2000	13:58	I#16190	I	51.18			0.09
	05/15/2000	10:47	B#23093	D		100.00		100.09
copies/pike	05/15/2000	14:26	B#23103	W			-0.50	99.59
Sales Transaction	05/16/2000	12:53	I#22423	I	76.75			22.84
gym shorts out of st	05/17/2000	13:47	B#23183	D		8.50		31.34
Sales Transaction	05/23/2000	13:00	I#23231	I	24.96			6.38

Deposits 8 For \$ 268.50

Withdraws 2 For \$ -1.00

Invoices 7 For \$ 261.12

5/23/00 - Inmate received \$100 on 5/15/00 and spent most of it. Account frozen until he pays \$20. Owe \$20

5/25/00 - second CIVIL ACTION

6/27/00 - received \$50. Owe \$20 for previous deposit plus \$10 for \$50 deposit (50 x 20% = \$10) Total of \$30 to be sent to Court.  
account unfrozen

5/25/00

Desmond:

You now have 2 of these CV 1:00-CV-00881  
and CV 1:00-CV-00553

You owe a total of \$300 to the US District Court.

You received a \$100 deposit on 5/15/00 and quickly spent all but \$6. I had previously informed you that you were not to spend all of your money. You chose to do so. Your account is frozen until all the monies owed to the U.S. District Court are paid.

\$ 100  
X 20%

\$ 20.00 - amount owed

plus 20% of any future deposits

Roger Thomas



Date : 06/27/2000

Time : 13:36

## Account Activity Ledger

From : 09/03/1999 To : 06/27/2000

Comment	Trx Date	Time	Batch /Inv #	Trx Type	Invoice	Deposit	Withdrawal	Balance Forward
ID 55438 Name GAYLE, DESMOND Block NSC-3B								
Imported Entry	10/27/1999	15:50	B#3652	D		0.00		0.00
	11/22/1999	11:46	B#18089	D		20.00		20.00
copies	11/24/1999	10:17	B#18172	W			-0.50	19.50
Sales Transaction	12/02/1999	12:43	I#4086	I	19.29			0.21
	01/17/2000	10:27	B#19661	D		20.00		20.21
Sales Transaction	01/19/2000	11:26	I#9356	I	20.08			0.13
	02/14/2000	11:40	B#20415	D		20.00		20.13
Sales Transaction	02/15/2000	13:35	I#12222	I	19.81			0.32
	03/06/2000	12:16	B#21048	D		50.00		50.32
Sales Transaction	03/07/2000	13:51	I#14471	I	49.05			1.27
	03/17/2000	08:25	B#21392	D		50.00		51.27
Sales Transaction	03/21/2000	13:58	I#16190	I	51.18			0.09
	05/15/2000	10:47	B#23093	D		100.00		100.09
copies/pike	05/15/2000	14:26	B#23103	W			-0.50	99.59
Sales Transaction	05/16/2000	12:53	I#22423	I	76.75			22.84
gym shorts out of st	05/17/2000	13:47	B#23183	D		8.50		31.34
Sales Transaction	05/23/2000	13:00	I#23231	I	24.96			6.38
	05/31/2000	08:57	B#23548	D		50.00		56.38

Deposits 9 For \$ 318.50  
 Withdraws 2 For \$ -1.00  
 Invoices 7 For \$ 261.12

100  
 50  
 150  
 X 20%

6/27/00

Desmond Goyle:

You owe \$300 to the U.S. District Court.  
 \$30 is being sent. You owe \$270 more.  
 Your account is being unfrozen. From now on  
 do not spend all of your money. 20% of all deposits  
 are to be sent to Court. You may notify me when  
 you get a deposit and I will help you.

*Reg Lth*



JUL-14-2000 10:34

YORK COUNTY PRISON

717 840 7204 P.02/02

## Account Activity Ledger

Time : 10:20

From : 09/03/1999 To : 07/14/2000

Comment	Trx Date	Time	Batch /Inv #	Trx Type	Invoice	Deposit	Withdrawal	Balance Forward
ID 55438 Name GAYLE, DESMOND Block NSC-3B								
Imported Entry	10/27/1999	15:50	B#3652	D		0.00		0.00
	11/22/1999	11:46	B#18089	D		20.00		20.00
copies	11/24/1999	10:17	B#18172	W			-0.50	19.50
Sales Transaction	12/02/1999	12:43	I#4086	I	19.29			0.21
	01/17/2000	10:27	B#19661	D		20.00		20.21
Sales Transaction	01/19/2000	11:26	I#9356	I	20.08			0.13
	02/14/2000	11:40	B#20415	D		20.00		20.13
Sales Transaction	02/15/2000	13:35	I#12222	I	19.81			0.32
	03/06/2000	12:16	B#21048	D		50.00		50.32
Sales Transaction	03/07/2000	13:51	I#14471	I	49.05			1.27
	03/17/2000	08:25	B#21392	D		50.00		51.27
Sales Transaction	03/21/2000	13:58	I#16190	I	51.18			0.09
	05/15/2000	10:47	B#23093	D		100.00		100.09
copies/pike	05/15/2000	14:26	B#23103	W			-0.50	99.59
Sales Transaction	05/16/2000	12:53	I#22423	I	76.75			22.84
gym shorts out of st	05/17/2000	13:47	B#23183	D		8.50		31.34
Sales Transaction	05/23/2000	13:00	I#23231	I	24.96			6.38
	05/31/2000	08:57	B#23548	D		50.00		56.38
check #13723 to US D	06/30/2000	13:18	B#24442	W			-30.00	26.38
Sales Transaction	07/05/2000	12:56	I#28058	I	25.97			0.41
Sales Transaction	07/12/2000	13:04	I#29593	I	0.33			0.08

Deposits	9	For \$	318.50
Withdrawals	3	For \$	-31.00
Invoices	9	For \$	287.42

**CERTIFICATE OF SERVICE**

I, Donald L. Reihart, Esquire, certify that a true and correct copy of Exhibits to Answer of Defendant to Plaintiff's Motion to Compel Compliance With Administrative Order was caused to be served on the date shown below by depositing same in the United States mail, first-class, postage prepaid thereon, addressed as follows:

Desmond B. Gail  
York County Prison  
3400 Concord Road  
York, PA 17402

Respectfully submitted,

By: 

Donald L. Reihart, Esquire  
Sup.Ct. I.D. #07421  
2600 Eastern Boulevard  
Suite 204  
York, PA 17402  
Telephone (717) 755-2799

Attorney for Plaintiff

Dated: 7-18-00